

A bill for an act
relating to state government; appropriating money from the clean water fund
for clean water legacy and drinking water protection activities; providing for a
report on a star farms proposal.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations from the clean
water fund, by agency, made in this act.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
<u>Pollution Control Agency</u>	<u>\$ 19,600,000</u>	<u>\$ 22,100,000</u>	<u>\$ 41,700,000</u>
<u>Department of Natural Resources</u>	<u>17,020,000</u>	<u>20,400,000</u>	<u>37,420,000</u>
<u>Board of Water and Soil Resources</u>	<u>25,780,000</u>	<u>29,200,000</u>	<u>54,980,000</u>
<u>Department of Agriculture</u>	<u>5,000,000</u>	<u>7,700,000</u>	<u>12,700,000</u>
<u>Department of Health</u>	<u>1,700,000</u>	<u>1,700,000</u>	<u>3,400,000</u>
<u>Metropolitan Council</u>	<u>400,000</u>	<u>400,000</u>	<u>800,000</u>
<u>Total</u>	<u>\$ 69,500,000</u>	<u>\$ 81,500,000</u>	<u>\$ 151,000,000</u>

Sec. 2. **CLEAN WATER FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the
agencies and for the purposes specified in this act. The appropriations are from the clean
water fund, and are available for the fiscal years indicated for allowable activities under
the Minnesota Constitution, article XI, section 15. The figures "2010" and "2011" used
in this act mean that the appropriations listed under them are available for the fiscal year
ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010.

2.1 "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011.
2.2 The appropriations for fiscal year 2010 are not available until November 1, 2009. The
2.3 appropriations in this act are onetime.

2.4			<u>APPROPRIATIONS</u>		
2.5			<u>Available for the Year</u>		
2.6			<u>Ending June 30</u>		
2.7			<u>2010</u>		<u>2011</u>
2.8	Sec. 3. <u>POLLUTION CONTROL AGENCY</u>	<u>\$</u>	<u>19,600,000</u>	<u>\$</u>	<u>22,100,000</u>
2.9	<u>(a) \$6,300,000 each year is for statewide</u>				
2.10	<u>assessment and monitoring of surface water</u>				
2.11	<u>quality and trends.</u>				
2.12	<u>(b) \$9,000,000 each year is for total</u>				
2.13	<u>maximum daily load (TMDL) development</u>				
2.14	<u>and TMDL implementation plans for waters</u>				
2.15	<u>listed on the United States Environmental</u>				
2.16	<u>Protection Agency approved Impaired</u>				
2.17	<u>Waters List in accordance with Minnesota</u>				
2.18	<u>Statutes, chapter 114D. The agency shall</u>				
2.19	<u>complete an average of ten percent of the</u>				
2.20	<u>TMDL's each year over the biennium.</u>				
2.21	<u>(c) \$600,000 the first year and \$800,000 the</u>				
2.22	<u>second year are from the sustainable drinking</u>				
2.23	<u>water account for groundwater assessment</u>				
2.24	<u>and drinking water protection.</u>				
2.25	<u>(d) \$2,500,000 the first year and \$4,800,000</u>				
2.26	<u>the second year must be distributed as</u>				
2.27	<u>grants to delegated counties to administer</u>				
2.28	<u>the county feedlot program. Distribution of</u>				
2.29	<u>funds must be as provided in Laws 2005, First</u>				
2.30	<u>Special Session chapter 1, article 2, section</u>				
2.31	<u>2, subdivision 2. The commissioner, in</u>				
2.32	<u>consultation with the Minnesota Association</u>				
2.33	<u>of County Feedlot Officers executive team,</u>				
2.34	<u>may use up to five percent of the annual</u>				
2.35	<u>appropriation for initiatives to enhance</u>				

3.1 existing delegated county feedlot programs,
3.2 information and education, or technical
3.3 assistance to reduce feedlot-related pollution
3.4 hazards. Any money remaining after the first
3.5 year is available for the second year.

3.6 (e) \$1,200,000 each year is to establish,
3.7 enhance, and expand the river watch program
3.8 with schools throughout the state.

3.9	Sec. 4. <u>DEPARTMENT OF NATURAL</u>		
3.10	<u>RESOURCES</u>	\$	<u>17,020,000</u> \$ <u>20,400,000</u>

3.11 (a) \$900,000 each year is for work assisting
3.12 in water quality assessments in supporting
3.13 the identification of impaired waters.

3.14 (b) \$1,120,000 the first year and \$1,500,000
3.15 the second year are for TMDL development
3.16 and TMDL implementation plans for waters
3.17 listed on the United States Environmental
3.18 Protection Agency approved Impaired
3.19 Waters List in accordance with Minnesota
3.20 Statutes, chapter 114D.

3.21 (c) \$500,000 each year is from the sustainable
3.22 drinking water account for groundwater
3.23 assessment and drinking water protection
3.24 activities.

3.25 (d) \$14,500,000 the first year and
3.26 \$17,500,000 the second year are to
3.27 acquire land and interests in land for
3.28 aquatic management areas and to make
3.29 public improvements and betterments to
3.30 aquatic management areas established
3.31 under Minnesota Statutes, section 86A.05,
3.32 subdivision 14. At least 50 percent of this
3.33 amount must be for land acquisition and
3.34 public improvements in the seven-county
3.35 metropolitan area.

4.1	Sec. 5. <u>BOARD OF WATER AND SOIL</u>			
4.2	<u>RESOURCES</u>	<u>\$</u>	<u>25,780,000</u>	<u>\$</u> <u>29,200,000</u>
4.3	<u>(a) \$20,000,000 the first year and</u>			
4.4	<u>\$23,000,000 the second year are for water</u>			
4.5	<u>quality grants to soil and water conservation</u>			
4.6	<u>districts to improve or protect water quality</u>			
4.7	<u>as part of implementing the reinvest in</u>			
4.8	<u>Minnesota conservation reserve program. At</u>			
4.9	<u>least 20 percent of this amount must be for</u>			
4.10	<u>water quality projects in the seven-county</u>			
4.11	<u>metropolitan area.</u>			
4.12	<u>(b) \$1,000,000 the first year and \$1,500,000</u>			
4.13	<u>the second year are for contract services</u>			
4.14	<u>related to clean water legacy with the</u>			
4.15	<u>Minnesota Conservation Corps.</u>			
4.16	<u>(c) \$1,000,000 the first year and \$1,500,000</u>			
4.17	<u>the second year are to the Anoka</u>			
4.18	<u>Conservation District for the metropolitan</u>			
4.19	<u>landscape restoration program for water</u>			
4.20	<u>quality and improvement projects.</u>			
4.21	<u>(d) \$780,000 the first year is for a grant to</u>			
4.22	<u>Middle Fork Crow River Watershed District</u>			
4.23	<u>for a water quality pilot program on Green</u>			
4.24	<u>Lake in Kandiyohi County. Of this amount:</u>			
4.25	<u>(1) \$565,000 is for storm water projects to</u>			
4.26	<u>reduce sediment and nutrients;</u>			
4.27	<u>(2) \$90,000 is for inlet correction and</u>			
4.28	<u>watershed stabilization;</u>			
4.29	<u>(3) \$80,000 is for survey and control of</u>			
4.30	<u>Eurasian water milfoil;</u>			
4.31	<u>(4) \$15,000 is for community education</u>			
4.32	<u>outreach;</u>			
4.33	<u>(5) \$15,000 is for tree planting for hydrologic</u>			
4.34	<u>benefit; and</u>			

5.1 (6) \$15,000 is for monitoring, program
5.2 evaluation, and report preparation.

5.3 The Middle Fork Crow River Watershed
5.4 District shall report on the activities and
5.5 expenditures related to the pilot program
5.6 created in this paragraph and prepare an
5.7 evaluation of the pilot program in improving
5.8 water quality and controlling Eurasian
5.9 water milfoil. By January 15, 2012, the
5.10 report shall be submitted to the legislative
5.11 committees and divisions with jurisdiction
5.12 over environment and natural resources
5.13 policy and finance and to the Board of Water
5.14 and Soil Resources.

5.15 (e) \$3,000,000 the first year and \$3,200,000
5.16 the second year are for grants to address
5.17 imminent threat and failing subsurface
5.18 sewage treatment systems.

5.19 Sec. 6. **DEPARTMENT OF AGRICULTURE** **\$** **5,000,000** **\$** **7,700,000**

5.20 (a) \$4,000,000 the first year and \$6,700,000
5.21 the second year are for the agricultural
5.22 best management practices loan program.

5.23 At least 90 percent must be available for
5.24 pass-through to local governments and
5.25 lenders for low-interest loans and is available
5.26 until spent. Any unencumbered balance
5.27 that is not used for pass-through to local
5.28 governments does not cancel at the end of the
5.29 first year and is available for the second year.

5.30 (b) \$700,000 each year is from the
5.31 sustainable drinking water account for
5.32 pesticide monitoring and groundwater
5.33 assessment activities.

6.1 (c) \$300,000 each year is for grants to the
6.2 livestock environmental quality assurance
6.3 program to develop resource management
6.4 plans, provide resource management analysis
6.5 and assistance, provide an implementation
6.6 plan, and provide for annual reporting
6.7 on assessment and reasonable assurance,
6.8 including an assurance walk-through for
6.9 farms enrolled in the program.

6.10 By December 15, 2010, the commissioner
6.11 of agriculture shall submit a report to the
6.12 chairs and ranking minority members of the
6.13 legislative committees and divisions with
6.14 jurisdiction over agriculture and environment
6.15 policy and finance on the activities of the
6.16 livestock environmental quality assurance
6.17 program. The report shall include:

6.18 (1) the number of farms enrolled;
6.19 (2) an analysis of the estimated water quality
6.20 improvements to enrolled farms; and
6.21 (3) an analysis of the ability to provide
6.22 reasonable assurance.

6.23 Sec. 7. DEPARTMENT OF HEALTH \$ 1,700,000 \$ 1,700,000

6.24 (a) \$500,000 each year is from the
6.25 sustainable drinking water account for
6.26 additional assessment of drinking water
6.27 contaminants.

6.28 (b) \$1,200,000 each year is from the
6.29 sustainable drinking water account for
6.30 additional source water protection activities.

6.31 Sec. 8. METROPOLITAN COUNCIL \$ 400,000 \$ 400,000

6.32 \$400,000 each year is from the sustainable
6.33 drinking water account for implementation

7.1 of the master water supply plan developed
7.2 under Minnesota Statutes, section 473.1565.

7.3 Sec. 9. **STAR FARMS REPORT.**

7.4 The commissioner of agriculture, in consultation with other state and local agencies,
7.5 farm groups, conservation groups, legislators, and other interested persons shall develop a
7.6 proposal for a star farms program. By December 15, 2009, the commissioner shall submit
7.7 the proposal to the legislative committees and divisions with jurisdiction over agriculture
7.8 and environment policy and finance.